

Appln. No. 09/746,713
Amendment dated November 22, 2005
Reply to Advisory Action of July 25, 2005

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The July 25, 2005 Office Action and the Examiner's comments have been carefully considered. In response, claims are amended and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

PRIOR ART REJECTIONS

In the Office Action claims 16-20 are rejected under 35 USC 103 as being unpatentable over USP 5,866,911 (Baer) in view of USP 6,272,376 (Marcu et al.), USP 5,909,278 (Deka et al.) and USP 6,522,345 (Alexander).

In rejecting claim 16 the Examiner relies primarily upon Baer.

Claim 16 is amended to recite that the laser scanning microscope also includes an image display unit which reads the digital data from the memory and displays the read digital data as an image in synchronism with each scanned position by the laser beam. Such a limitation is not disclosed, taught or

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suggested in Baer or any of the references of record. Support for the amendment can be found at page 10, lines 17-23 of the application as filed, inter alia.

The portion described in Baer (column 11, lines 8-12) regarding fluorescence lifetime measurements cited by the Examiner explains "an additional advantage of the pulsed embodiment shown in Fig. 7," as described in the immediately preceding sentence. Specifically, this portion of Baer explains that use of laser pulses makes it possible to carry out fluorescence lifetime measurements by only adding/changing the measuring means without preparing a new light source. A "laser scanning microscope for a waveform measurement" of the present claimed invention cannot be necessarily obvious from the explanation in Baer. Baer states that it is possible to carry out fluorescence lifetime measurements with minimal additional equipment. However, Baer does not explain whether the fluorescence lifetime measurements read each and every pixel of scanning images in the laser scanning microscope. For instance, Baer might intend to determine a point of measurement on the basis of a scanning image of the laser scanning microscope, and carry out fluorescence lifetime measurements at the point of measurement.

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The laser scanning microscope of the present claimed invention obtains waveform data of a scanning image in a pixel unit. Moreover, the present claimed invention carries out data processing recited in claims 17-19 in every pixel, if necessary.

The laser scanning microscope defined by claim 16 is not obvious over Baer. Baer does not disclose, teach or suggest a laser scanning microscope including, inter alia, "an image display unit which reads the digital data from the memory and displays the read digital data as an image in synchronism with each scanned position by the laser beam" as recited in amended claim 16 (see claim 16, lines 22-24). In other words, read data respectively correspond to the scanned positions by the laser beam.

None of the other references of record close the gap between the present claimed invention as defined by amended claim 16 and Baer. Therefore, claim 16 is patentable over all of the references of record when taken either alone under 35 USC 102 or in combination under 35 USC 103.

Claims 17-20 are either directly or indirectly dependent on claim 16 and are patentable over the cited references in view of their dependence on claim 16 and because the references do not

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disclose, teach or suggest each of the limitations set forth in
claims 17-20.

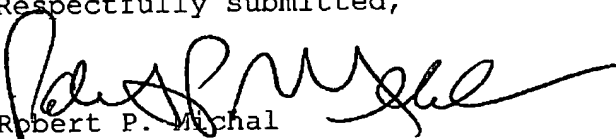
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Entry of this Amendment, allowance of the claims and the
passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the
Examiner is respectfully requested to point out where there is
support for a contrary view.

If the Examiner has any comments, questions, objections or
recommendations, the Examiner is invited to telephone the
undersigned at the telephone number given below for prompt
action.

Respectfully submitted,



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Encl.: Petition for Extension of Time